GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

STARRED QUESTION NO:123
ANSWERED ON:27.11.2002
SALE OF KIDNEYS TO FOREIGN PATIENTS
N.N. KRISHNADAS;SUNIL KHAN

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the scandal over the sale of Kidneys by Indian donors to foreign patients has come to the notice of the Government;

(b) if so, the details thereof;

(c) whether Government have constituted any inquiry in this regard; and

(d) if so, the details thereof alongwith the action taken against the culprits?

Answer

MINISTER OF HEALTH AND FAMILY WELFARE (SHRI SHATRUGHAN SINHA)

(a)to(d): A statement is laid on the table of the Lok Sabha.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO. 123 FOR 27.11.2002

Sale and purchase of human organs including kidneys is banned under the provisions of the Transplantation of Human Organs Act, 1994. The Act has provisions for punishing any one who commits such acts. Under Section 13(2) of the Transplantation of Human Organs Act, 1994, the Central Government and State Government are empowered to appoint Appropriate Authorities for the purpose of the Act who, in turn, are empowered to investigate any complaints of breach of provisions of the act including those pertaining to sale and purchase of human organs including kidney. This Act has since been adopted by all States (excluding Andhra Pradesh which has its own Act) except Bihar. Government have come across media reports relating to the alleged scandal but no specific complaint/details have been received. Therefore, the question of instituting an inquiry at this stage does not arise.